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11/3/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of: Adam J. Simon

Serial No.: 09/862,850

Group Art Unit: 1632

Filed: May 22, 2001

Examiner: Priebe, S.

For: SYSTEM AND METHOD FOR ASSESSING THE  
PERFORMANCE OF A PHARMACEUTICAL AGENT  
DELIVERY SYSTEM

CERTIFICATE UNDER 37 CFR 1.8(A)  
I hereby certify that this  
correspondence is being deposited  
with the United States Postal Service  
as First Class Mail in an envelope  
addressed to Assistant Commissioner  
for Patents, Washington, D.C. 20231  
By Stephan P. Gribok  
Stephan P. Gribok, Reg. No. 29,643  
Date 12-20-02

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

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TECH CENTER 1600/2900

Responsive to the Restriction Requirement mailed September 30, 2002 (Paper No. 5), applicant hereby elects for further prosecution in this application the invention identified as **Group III, claims 15-19 and 25-40**, drawn to a method for delivery of a pharmaceutical agent *in vivo* using an electrical stimulation apparatus comprising a pair of electrodes, each comprising a conductive core and a partially conductive coating (class 604, subclass 20).

This election is made without traverse.

This election is also made without prejudice to applicant's rights to pursue one or more of the non-elected inventions in one or more continuing applications.

Applicant concurrently submits a further information disclosure statement and copies of the references cited. Inasmuch as the citation is made prior to a substantive official action, no fee is required.

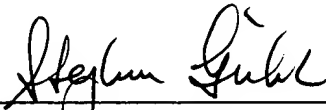
Examination on the merits is requested.

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Respectfully submitted, TECH CENTER 1600/2900

Dated: Dec. 20, 2002

  
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Docket No.: D6763-00001